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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/743,374	12/22/2003	Timo Ala-Lehtimaki	KOLS.078PA	9338
7590	12/16/2005		EXAMINER	
Hollingsworth & Funk, LLC 8009 34th Avenue South, Suite 125 Minneapolis, MN 55425				HANNIF ALI, LARRY
		ART UNIT	PAPER NUMBER	
		2688		

DATE MAILED: 12/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/743,374	ALA-LEHTIMAKI ET AL.
	<b>Examiner</b>	<b>Art Unit</b>
	Larry Hannif-Ali	2688

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 22 December 2003.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-26 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-26 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 22 December 2003 is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____ .
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>5-23-05, 11-5-04</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102(e) that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless – (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-6, 9-16, 19-23, and 26** are rejected under 35 U.S.C. 102(e) as being unpatentable over Deeds (U.S. Pub. No. 2004/0203610 A1).

Regarding **Claim 1**. Deeds teaches a terminal of a radio communication system for transmitting an electronic message with user-defined contents [paragraph 0008 & paragraph 0016 & Fig. 2], the terminal comprising: a wireless transceiver [paragraph 0027, lines 1-2]; a user interface element [paragraph 0009 & paragraph 0031, lines 1-2]; and a processing unit coupled to the wireless transceiver and the user interface element [paragraph 0027, lines 1-5 & Fig. 1, Items 80, 60, 70, 140, 110 & paragraph 0030, lines 1-9], configured to receive an input defining the contents of the electronic message from the user interface element [paragraph 0049, lines 15-31], to receive a shorthand for a destination of the electronic message from the user interface element, to associate the shorthand for the destination with a full destination, and to transmit the message with user-defined contents to the full destination utilizing the wireless transceiver [paragraph 0047].

Regarding **Claim 2**. Deeds teaches wherein the user interface element includes a plurality of keys, and the processing unit is configured to receive key presses, which

represent the shorthand for the destination [paragraph 0009 & paragraph 41].

Regarding **Claim 3**. Deeds teaches wherein the shorthand for the destination includes a speed dialing number, which includes a plurality of dialing digits [paragraph 0047].

Regarding **Claim 4**. Deeds teaches wherein the processing unit is configured to interpret a key press of a key associated with the shorthand lasting longer than a predetermined time as the shorthand for the destination [paragraph 0047 (depressing the keys to activate speed dialing)].

Regarding **Claim 5**. Deeds teaches wherein the processing unit is configured to interpret a key press of a key associated with the shorthand followed by a key press of another key as the shorthand for the destination [paragraph 0041 (the user selects one or more keys after the designated "\*" key as the function of speed dialing)].

Regarding **Claim 6**. Deeds teaches wherein the user interface element includes a microphone, and the processing unit is configured to recognize voice as the shorthand for the destination [paragraph 0031, lines 1-5 & Fig. 1, Items 90 and 100 & paragraph 0039, lines 11-27].

Regarding **Claim 9**. Deeds teaches wherein the electronic message with user-defined contents includes a data message [paragraph 0030, lines 9-14].

Regarding **Claim 10**. Deeds teaches wherein the electronic message with user-defined contents is one of a text message, a Short Message Service SMS message, a Multimedia Message Service MMS message, an e-mail message [paragraph 0026].

Regarding **Claim 11**. Deeds teaches wherein the electronic message with user-defined contents is one of a text message created with the user interface element, a digital image or drawing created by means of a camera or a touch pad coupled to the terminal,

a digital sound recording, a digital representation of sound, a file, data inputted over a serial data interface, material inputted to the terminal from a device external to the terminal [paragraph 0049, lines 15-31].

**Regarding Claim 12.** Deeds teaches wherein the full destination defines one of a subscriber identifier of the radio Communication System, a group of subscriber identifiers of the radio communication system, an e-mail address, a group of email addresses, another terminal of the radio communication system, a computer, an Internet Protocol IP address [paragraph 0060, lines 1-5].

**Regarding Claim 13.** Deeds teaches wherein the wireless transceiver includes a cellular radio network transceiver, a short-range radio transceiver, a Wireless Local Area Network WLAN transceiver, an infrared transceiver [paragraph 0027, lines 1-2 & paragraph 0033 & paragraph 0029].

**Regarding Claim 14.** Deeds teaches a terminal of a radio communication system for transmitting an electronic message with user-defined contents [paragraph 0008 & paragraph 0016 & Fig. 2], the terminal comprising: wireless transmitting means for transmitting an electronic message with user-defined contents [paragraph 0027, lines 1-2]; user interface means for interacting with a user of the terminal [paragraph 0009 & paragraph 0031, lines 1-2]; and processing means for receiving an input defining the contents of the electronic message from the user interface means [paragraph 0027, lines 1-5 & Fig. 1, Items 80, 60, 70, 140, 110 & paragraph 0030, lines 1-9], for receiving a shorthand for a destination of the electronic message from the user interface means, for associating the shorthand for the destination with a full destination, and for transmitting the message with user-defined contents to the full destination utilizing the wireless transmitting means [paragraph 0047].

**Regarding Claim 15.** Deeds teaches wherein the user interface means include keying means, and the processing means are configured to receive key presses, which

represent the shorthand for the destination [paragraph 0009 & paragraph 41].

Regarding **Claim 16**. Deeds teaches wherein the user interface means include voice-capturing means, and the processing means are configured to recognize voice as the shorthand for the destination [paragraph 0031, lines 1-5 & Fig. 1, Items 90 and 100 & paragraph 0039, lines 11-27].

Regarding **Claim 19**. Deeds teaches a method for transmitting an electronic message with user-defined contents utilizing a terminal of a radio communication system [paragraph 0008 & paragraph 0016 & Fig. 2], the method comprising: receiving an input defining the contents of the electronic message [paragraph 0049, lines 15-31]; receiving a shorthand for a destination of the electronic message; associating the shorthand for the destination with a full destination; and transmitting the message with user-defined contents to the full destination [paragraph 0047].

Regarding **Claim 20**. Deeds teaches wherein the reception of the shorthand for the destination of the electronic message includes: receiving key presses, which represent the shorthand for the destination [paragraph 0009 & paragraph 41].

Regarding **Claim 21**. Deeds teaches wherein the method further comprises: interpreting a key press of a key associated with the shorthand lasting longer than a predetermined time as the shorthand for the destination [paragraph 0047 (depressing the keys to activate speed dialing)].

Regarding **Claim 22**. Deeds teaches wherein the method further comprises: interpreting a key press of a key associated with the shorthand followed by a key press of another key as the shorthand for the destination [paragraph 0041 (the user selects one or more keys after the designated "\*" key as the function of speed dialing)].

Regarding **Claim 23**. Deeds teaches wherein the reception of the shorthand for the destination of the electronic message includes: recognizing voice as the shorthand for the destination [paragraph 0031, lines 1-5 & Fig. 1, Items 90 and 100 & paragraph 0039, lines 11-27].

Regarding **Claim 26**. Deeds teaches wherein the method further comprises at least one of: creating a text message as the electronic message with user-defined contents; creating a digital image or drawing as the electronic message with user-defined contents; creating a digital sound recording as the electronic message with user-defined contents; creating a digital representation of sound as the electronic message with user-defined contents; creating a file as the electronic message with user defined contents; receiving data inputted over a serial data interface as the electronic message with user-defined contents; receiving material from a device external to the terminal as the electronic message with user-defined contents [paragraph 0049, lines 15-31].

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 7, 17 and 24** are rejected under 35 U.S.C. 103(a) as being unpatentable over Deeds (U.S. Pub. No. 2004/0203610 A1) in view of Pettine Jr. (U.S. Pub. No. 2004/0198354 A1).

Regarding **Claim 7**. Deeds teaches everything as applied above in Claim 1. However, Deeds fails to specifically teach wherein the user interface element includes a touch

pad, and the processing unit is configured to recognize a special touch as the shorthand for the destination. The examiner maintains that the claimed limitation was well known in the art as taught by Pettine Jr.

In the same field of endeavor, Pettine Jr. discloses a communication address redirection system for a mobile communication device wherein the user interface element includes a touch pad, and the processing unit is configured to recognize a special touch as the shorthand for the destination [paragraph 0047, lines 1-13].

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use, within the terminal of Deeds, the touch screen and speed dial function as taught by Pettine Jr. in order to have a shorthand method available through touch.

**Regarding Claim 17.** Deeds teaches everything as applied above in Claim 14. However, Deeds fails to specifically teach wherein the user interface means include touch-sensing means, and the processing means are configured to recognize a special touch as the shorthand for the destination. The examiner maintains that the claimed limitation was well known in the art as taught by Pettine Jr.

In the same field of endeavor, Pettine Jr. discloses a communication address redirection system for a mobile communication device wherein the user interface means include touch-sensing means, and the processing means are configured to recognize a special touch as the shorthand for the destination [paragraph 0047, lines 1-13].

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use, within the terminal of Deeds, the touch screen and speed dial function as taught by Pettine Jr. in order to have a shorthand method available through touch.

**Regarding Claim 24.** Deeds teaches everything as applied above in Claim 19. However, Deeds fails to specifically teach wherein the reception of the shorthand for the destination or the electronic message includes: recognizing a special touch of a touch-

sensitive area of the terminal as the shorthand for the destination. The examiner maintains that the claimed limitation was well known in the art as taught by Pettine Jr.

In the same field of endeavor, Pettine Jr. discloses a communication address redirection system for a mobile communication device wherein the reception of the shorthand for the destination or the electronic message includes: recognizing a special touch of a touch-sensitive area of the terminal as the shorthand for the destination [paragraph 0047, lines 1-13].

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use, within the terminal of Deeds, the touch screen and speed dial function as taught by Pettine Jr. in order to have a shorthand method available through touch.

5. Claims 8, 18 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Deeds (U.S. Pub. No. 2004/0203610 A1) in view of Grams (U.S. Pub. No. 2004/0259591 A1).

Regarding Claim 8. Deeds teaches everything as applied above in Claim 1. However, Deeds fails to specifically teach wherein the user interface element includes a motion-sensing device, and the processing unit is configured to recognize a special motion as the shorthand for the destination. The examiner maintains that the claimed limitation was well known in the art as taught by Grams.

In the same field of endeavor Grams discloses a gesture-based interface and method for wireless device wherein the user interface element includes a motion-sensing device, and the processing unit is configured to recognize a special motion as the shorthand for the destination [paragraph 0092].

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use, within the terminal of Deeds, the motion detector as taught by Grams in order to have a shorthand method available through the detection of motion.

Regarding **Claim 18**. Deeds teaches everything as applied above in Claim 14. However, Deeds fails to specifically teach wherein the user interface means include motion-sensing means, and the processing means are configured to recognize a special motion as the shorthand for the destination. The examiner maintains that the claimed limitation was well known in the art as taught by Grams.

In the same field of endeavor Grams discloses a gesture-based interface and method for wireless device wherein the user interface means include motion-sensing means, and the processing means are configured to recognize a special motion as the shorthand for the destination [paragraph 0092].

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use, within the terminal of Deeds, the motion detector as taught by Grams in order to have a shorthand method available through the detection of motion.

Regarding **Claim 25**. Deeds teaches everything as applied above in Claim 19. However, Deeds fails to specifically teach wherein the reception of the shorthand for the destination of the electronic message includes: recognizing a special motion as the shorthand for the destination. The examiner maintains that the claimed limitation was well known in the art as taught by Grams.

In the same field of endeavor Grams discloses a gesture-based interface and method for wireless device wherein the reception of the shorthand for the destination of the electronic message includes: recognizing a special motion as the shorthand for the destination [paragraph 0092].

Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to use, within the terminal of Deeds, the motion detector as taught by Grams in order to have a shorthand method available through the detection of motion.

**Conclusion**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Larry Hannif-Ali whose telephone number is 571-272-5598. The examiner can normally be reached on Mon-Fri 9:00AM - 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Larry Hannif-Ali

December 7, 2005



GEORGE ENG  
PRIMARY EXAMINER